apparatus can be cheaply made, and, the inventor states, can be sold at large profit.

Patented through the Scientific American Patent Agency, March 21, 1876. For further information relative to salo ef rights, etc., address the inventor, Mr. John J. White, 279 Church street. Norfolk, Va

### DECISIONS OF THE COURTS.

### United States Circuit Court-Western District of Michigan,

PATENT PHOTO-PLATE HOLDER.—SIMON WING, ALBERT S. SOUTHWORTH, AND MARCUS ORMSBEE 28. JOSEPH H. TOMPKINS.

[In equity—Before Withey, J. Heard January 25, 1867. Decision April 5, 1876.]

PATENT PROTO-PLATE BIOLOGY.—SEND WING. ADDRESS SOUTHWORTH, AND BOTH CONTROL OF THE CONTROL OF TH

plate notice used by this in same and the plotters.

I pass over other testimony of prior use of complainant's patented invention, remarking, however, that the evidence to discredit the testimony of Pratt, and to show that certain exhibited pictures could not have been taken in the center of the focus of the lens, nor by the patentee's process and plate holder, is fully met by the testimony on behalf of defendant on the same sub-fact.

In the center of the locus of t

# United States Circuit Court---District of Massachu-

setts. BOSTON ELASTIC FABRIC COMPANY vs. EAST HAMPTON RUBBER THREAD COMPANY.

[In equity.—Before Shepley, J.—Decided October term, 1875, to wit, April 4, 1876.

SHEPLEY, J.:
A former suit between these parties commenced for alleged infringement of letters patent granted to liveras Hull, dated January 20, 1863, for an improvement in cutting sheets of rubber into threads, was dismissed upon the ground that the patent, as it then stood, was for a machine, and that the machine used by Hull was substantially the same machine as one of prior date know to manufacturers of rubber threads as "the bottle nactine."

Since the decision in that cause, the patent has been reissued to the complainants, as assignees of Liveras Hull, by reissue 5,93, dated June 2, 1874, as a patent for an art or process, the claim being "for the improved mode of manufacture, consisting in cutting the sheet into a series of threads by a continuous cut of one cutter," as described in the specification.

At the hearing of the former cause it clearly appeared that Liveras Hull' without any knowledge of any prior machine, or of any prior use of an art of cutting rubber threads in the mode described in his specification, had invented both the machine and the mode of manufacture. But it also appeared as clearly that there was proof of a machine of an earlier date than his invention, although it was unknown to him.

clearly that there was proof of a machine of an earlier date than his invention, although it was unknown to him.

It did not quite satisfactorily appear, from the evidence in the former case, that the process or mode of manufacture described by Hull, and now, but not then, claimed, had been practised on the anticipating machine, although that mode of manufacture could have been practised on that machine, or at least on one differing from it only in the enlarged size of the drum on which the sheet rubber is wound. There was no conclusive evidence in that case that Hull was not the first, as he undoubtedly was in one sense an original, inventor of his mode of manufacture. But this issue was not directly never of the art or process. Evidence has now been introduced, much of it coming from witnesses who were not examined before, which seems to prove satisfactorily that a machine was constructed by one Helm during the fall of the year 1980, and completed before the 1st of January, 1861; that a sheet of rubber, many yards in length, was wound round and round upon the drum of said machine; that the machine had a single circular cutter which was pushed up to the drum through the rubber at one-ond of the cylinder; that the drum was then caused to rotate slowly, and the circular cutter to rotate rapidly, and at the same time to traverse slowly along the face of the drum until it reached the other end of the drum, by which operation the sheet of rubber was cut into a series of threads by a continuous cut of one cutter.

That this was the same process claimed and described in complainants patent is too clear to admit of dispute. Complainants contend that the process was only imperfectly carried on, that the thread made was imperfect, and that the use of the Helm machine was merely experimental, and the experiment was abshadoned before Hull made his invention.

The law upon this subject is too well settled to require the citation of any auth oftes.

The law upon this subject is too well settled to require the citation of any auth ofties.

A patent may be defeated by showing that the thing secured by the patent had been invented, and put into actual public use, prior to the discovery of the patentee, however limited such use (other than experimental) or knowledge of the prior discovery may have been.

Seven witnesses, who are unimpeached and uncontradicted, testify to the public and practical, not merely experimental, use of the patented process, in New Brunswick, on the Helm machine, prior to the time of the alleged invention by the patentee. They prove that the threads cut by that machine were good marketable threads, well cut, and publicly made and used in large quantities in the manufacture of both shirred goods and suspenders, and that the fabric made from them was a good salable fabric and regularly sold in the market. There is some conflict in the testimony as to the subsequent history of the Helm machine on which this was first cut by the patented process. That history is not material to this inquiry. We are dealing with the mode of manufacture of the thread. The evidence shows that mode of manufacture to have been practised, not for experiment, but in the regular course of business, openly, successfully, and practically, within the knowledge of a large number of persons at a time prior to the date of the alleged invention.

Bill dismissed.

nvention. Bill dismissed. [James E Maynadier, for complainants. George Gifford, Hillard, Hyde, and Dickenson, for defendants.]

# United States Circuit Court-District of Massachu-

HELEN MARIE MCDONALD VS. S. M. BLACKMER et al.
[In equity.—Before Shepley, J.—Decided October term, 1875, to wit, April
4, 1876.]

Sheplky, J.:

Sheplky, J.:

Since the disclaimer, which was filed before the date of the bill in this case, the claim of the complainant is limited to that only which was described in the specification of her patent, namely, 'as a new article of manufacture, a skirt protector, laving a futed or plated border bound with or composed of enameled cloth or other water proof material. 'I see no reason to doubt that she was the first and original inventor of this article, as distinguished from a skirt facing, which is an entirely different article, and from a skirt protector, which, being made of wiggan or similar material, was substantially uscless for the purpose, as compared with the complainant's invention.

Decree for in unction and account, as prayed for in the bill.

(Reorge E. Betton, Tor complainant.

Browne and Holmes, for defendants.)

## United States Circuit Court-District of Massachusetts.

PATENT GAS APPARATUS.—THE GILBERT AND BARKER MANUFACTURING COM-PANY vs. THE WALWORTH MANUFACTURING COMPANY. [In equity.—Before Shepley, J.—Decided April 4, 1876.]

EATENT CASA PARATUS.—PHE GILBERT AND BARKER MANUFACTURING COMPANY.

[In equity.—Before Shepley, J.—Decided April 4, 1876.]

SHEPLEY, J. Before Shepley, J.—Decided April 4, 1876.]

SHEPLEY, J. Before Shepley, J.—Decided April 4, 1876.]

SHEPLEY, J. SHEPLEY, J

# NEW BOOKS AND PUBLICATIONS.

ARCHITECTURAL IRON WORK, a Practical Book for Iron Workers Architects, Engineers, etc. With Specifications for Iron Work, Useful Tables, and Valuable Suggestions. By William J. Fryer, Jr. Illustrated. Price \$3.50. New York city: John Wiley & Sons, 15 Astor place.

This book is the best specimen which has reached us of a new trade literature which is now springing up to answer a demand created by the extensive use of iron in architecture, not merely for tie rods and girders, but as a building material. The author is evidently thoroughly acquainted with his subject, and his book is an exhaustive treatise on the science and art of building in iron. The specifications are admirably drawn, and the tables of proportions, weights, and loads for iron work of all kinds are full and complete. The book is well illustrated, and is a clear, practical treatise, adapted for workmen and owners of buildings as well as for the engineering profession. It is, moreover, free from those technical expressions which too often impair the value of such works for practical workmen.

VILLAS AND COTTAGES, OR HOMES FOR ALL: Plans, Elevations, and Views of Twelve Villas and Ten Cottages, Suited to Various Wants and Locations. Designed by William L. Woollett, Fellow of the American Institute of Architects. Price \$3.00. New York city: A. J. Bicknell & Co., 27 Warren street.

Judging from the number of books on villa architecture which reach us. there must be a lively demand for rural and suburban residences just now;

and it is gratifying to observe the increasing neatness and propriety of design which characterize them, and the gradual disappearance of the grotesque and clumsy attempts at ornamentation which disfigured the homes of the last generation. In internal convenience and sanitary arrangement, there is also a marked improvement. Mr. Woollett's designs, shown in 40 well executed plates, fully justify the above remarks, being marked by good taste and ample provision for supply of light and fresh air. The brick buildings illustrated in this book are especially commendable for the substantial and effective use of this material, which is in most respects the best ever employed in building human habitations.

CHEMISTRY, THEORETICAL, PRACTICAL, AND ANALYTICAL, as applied to the Arts and Manufactures. By Writers of Eminence. To be completed in Forty Parts, price 50 cents each. Philadelphia, Pa.: Lippincott & Co., 715 and 717 Market street. For sale by James Sheehy, 33 Barclay street, New York city.

This book, says the title page, is constructed on the basis of the late Dr. Sheridan Muspratt's ''Chemistry as applied to the Artsand Manufactures;'' and it is to that widely circulated work that the new publication, an instalment of which is now before us, owes its chief recommendation. There is, however, some new matter in it, and the modern notation is introduced.

The work would be more readily adopted as an authority if the names of the "writers of eminence" were given. A work of this magnitude ought not to be published anonymously.

ANNUAL REPORT OF THE UNITED STATES GEOLOGICAL AND GEO-GRAPHICAL SURVEY OF THE TERRITORIES FOR 1874. By F. V. Hayden, United States Geologist. Washington, D. C.: Government Printing Office.

Professor Hayden is engaged in a work of national importance, and is carrying it out in a thoroughly efficient manner. In his account of his labors during 1874, he describes the topography and geology of Colorado and some parts of the adjacent territories; and the botanical and palæontological features of the country explored have not escaped observation. The work now being done by the expedition is an immense one; and a perusal of one of Professor Hayden's reports enables us to fully appreciate it. The book is well and liberally illustrated, the photographers who travel with the expedition being constantly at work as the party progresses.

LADIES' FANCY WORK: Hints and Helps to Home Taste and Recreations. By Mrs. C. S. Jones and Henry T. Williams. Price \$1.50. New York city: H. T. Williams, 46 Beekman street.

This is the third of a series of useful volumes which the above named publisher is issuing, with the design of collecting, in permanent form, an immense number of hints and suggestions relative to tasteful household ornamentation, some of which, hitherto, have appeared in family newspapers. while others have been known only to few individuals. The present book tells how to make fancy work of all kinds, including paper and wax flowers, shell, leaf, and moss ornaments, bead and worsted work, and the thousand knick-knacks of ribbon and cardboard which ladies delight to manufacture. It is copiously illustrated, handsomely bound, and the descriptive matter is plain and easily followed.

ENGINEER'S AND MECHANIC'S POCKET BOOK. ily Charles H. Haswell, Civil, Marine, and Mechanical Engineer, etc. New York city: Harper & Brothers, Franklin Square.

Mr. Haswell's engineer's pocket book has been before the mechanical public now for over thirty years, so that there is little necessity for here recapitulating its contents. It is one of the best, if not the best, of handy books of reference extant; and it must be a matter of some difficulty to suggest any useful practical facts or tables which are not to be found somewhere among its 700 pages. The present edition is the thirty-second, and is fully up to the times, through fresh and careful revision of the contents. It is strongly and handsomely bound in leather, in pocket book form, and can be obtained, postpaid, by mailing \$3.00 to the author, at 6 Bowling Green, New York city.

CATALOGUE OF THE FISHES OF THE BERMUDAS. By G. Brown Goode. Washington, D. C.: Government Printing Office.

This work is one of a series intended to illustrate the natural history collections constituting the National Museum, which were en rusted to the care of the Smithsonian Institution by Act of Congress in 184-

CENTENNIAL COLLECTION OF NATIONAL SONGS. Price 40 cents. New York city: C. H. Ditson & Co., 711 Broadway.

A collection of songs, more or less familiar, which will probably be welcome to many people in this year of celebrations.

# Inventions Patented in England by Americans.

(Compiled from the Commissioners of Patents' Journal.)

From March 28 to April 24, 1876, inclusive. AIR BRAKE, ETC .- Empire Vacuum Brake Company, New York city. AIR GUN, ETC.—A. A. Pope, Boston, Mass.

AIR PISTOL. - A. C. Carey, Malden, Mass. BATH TUB.—A. Seligsburg, New York city. BENDING TUBE PLATES.—S. P. M. Tasker, Philadelphia, Pa. BENDING TUBES, ETC.—C. Scotteld, Vineland, N. J.

BINDING SHEAVES .- S. Johnston, Brockport, N. Y. BOOT, ETC.-R. S. Manning, Trenton, N. J.

BOOT-LASTING MACHINE.—F. S. Hunt, Lynn, Mass. BOOT-SEWING MACHINE.—C. Goodyear, Jr., New York city. BRISTLE-DRESSING MACHINE.-E. B. Whiting, St. Albans, Vt. CAKE MACHINERY .- G. W. Nelson, New York city.

CARTRIDGE ANVIL.-J. Saget, New Orleans, La. CHAIR.-W. T. Doremus, New York city. DENTAL APPARATUS.-H. C. Howells, Flushing, N. Y.

ELASTIC SEAM .- J. Bigelow, Boston, Mass. ELECTRIC ENGRAVING MACHINE.—J. C. Guerrant, Danville, Ill. Engine Valve.—E. Purvis, New York city.

FEED WATER HEATER .- H. N. Waters et al., West Meriden, Conn. GAS APPARATUS .- W. H. St. John. New York city.

GAS METER.-J. Morgan, New Orleans, La. GAS STOVE, RTC.-C. F. Brooker, Wolcotville, Conn.

GRAIN CONVEYER .- N. G. Simonds, Boston, Mass. HOOF EXPANDER.-C. H. Shepard, Elizabeth, N. J.

HORSESHOE NAIL, ETC .- J. B. Wills, Keeseville, N. Y. INJECTOR .- J. Fergus, Philadelphia, Pa. MACHINE GUN.-F. L. Bailey, Indianapolis, Ind.

MAGNETIC MACHINE.-J. B. Fuller, New York city, et al. MANGLING APPARATUS.-W. G. Lewis, Framingham, Mass. MASHING GRAIN, ETC .- R. d'Heureuse, New York city. MINING MACHINE.-F. M. Lechner et al., Columbus, Ohio.

OBSERVATORY .- L. B. Sawyer, Boston, Mass. PAPER BOXES, ETC.—S. Wheeler, Albany, N. Y. PAPER-CUTTING MACHINE, ETC.-W. Scott, Chicago, Ill. PIPE Nozzle, etc.-M. Clemens, Worcester, Mass

PLAYING CARDS.—I. N. Richardson, Malden, Mass. PRESERVING FABRICS, ETC .- W. Thilmany, Cleveland, Ohio.

PYROTECHNIC SIGNAL .- E. F. Linton, East New York, N. Y. RAILWAY WHEEL .- A. Atwood. Brooklyn. New York. et al. REFRIGERATOR, ETC .- J. H. Wickes, New York city.

SAFETY CHECK, ETC .- J. E. Winner, Philadelphia, Pa SASH FASTENER.-N. Thompson (of Brooklyn, N. Y.), London, England.

SHIP ALARM, ETC .- F. X. Wagner et al., New York city. SMOKING PIPE .- R. S. Manning, Trenton, N. J.

SPARK ARRESTER.—D. R. Proctor, Gloucester, Mass. SPINDLE CAP.—C. Weiler, Philadelphia, Pa.

SPITTOON .- J. C. Moore, Philadelphia, Pa. TEXTILE FABRIC.—S. Barlow, Lawrence, Mass

THERMOMETER.-G. W. Schumacher, Portland, Me TREATING ORES, ETC.-R. McC. Fryer, New York city

TREATING PEAT, ETC .- J. N. Rowe (of Rockland, Me.), Liverpool, Eng. TREATING WOOL, ETC .- J. M. Dick, Buffalo, N. Y.

TUBE CLEANER .- C. B. Rogers, Saybrook, Conn.

UMBRELLA, ETC .- G. B. Kirkham, New York city VENEER-CUTTING MACHINE.-H. T. Bartlett et al., New York city.